

# HUAC Quiz

## Conviction Held Illegal

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Attorneys representing Arthur Kinoy, a lawyer convicted of disorderly conduct during the House Un-American Activities Committee hearings last month, asked General Sessions Judge Harold H. Greene yesterday to reverse the conviction.

Greene, who imposed a \$50 fine on Kinoy, took the plea under advisement.

Anthony Amsterdam, one of the American Civil Liberties Unions leading attorneys and professor of law at the University of Pennsylvania, told Greene that the conviction posed "a terror to the entire bar that their vigorous argument (on behalf of clients) would be subject to criminal prosecution."

Amsterdam and Morton Stavis argued that the Committee had jurisdiction over Kinoy's actions and not the District Government. They said Congress could have cited Kinoy for contempt if his conduct had been disorderly.

The conviction violates the separation of powers principle, since the Constitution gives the Congress the right to control its own proceedings, the defense lawyers contended.

They also argued that the disorderly conduct statute was not applicable since there had been no "clear warning to the common world" that the statute could be applied to a lawyer's argument in a congressional hearing.

Such application would infringe on First Amendment rights of free speech and Sixth Amendment rights of clients to vigorous legal representation, and would therefore be invalid, Amsterdam said.

Amsterdam fainted while arguing before Greene. The 31-year-old lawyer regained consciousness and continued his plea after a short rest.

Kinoy, one of a number of ACLU lawyers who represented witnesses called by HUAC, was arrested in the committee hearing room on Aug. 17 after he engaged in a loud argument with subcommittee Chairman Joe R. Pool (D-Tex.) on a legal point.